

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK**

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UNITED STATES OF AMERICA,

**DECISION and ORDER**

-vs-

11-CR-6201

JOHN BARTON

Defendant

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**Siragusa, J.** This case was referred by text order of the undersigned, docketed on December 13, 2011, ECF No. 2, to Magistrate Judge Marian W. Payson, pursuant to 28 U.S.C. § 636(b)(1)(A)-(B). Previously, on December 8, 2011, Magistrate Judge Payson filed a Report and Recommendation (“R&R”) ECF No. 51, recommending that the Court determine Defendant competent to stand trial. The time has passed for Defendant to file any objections to the R&R, and none have been filed.

Accordingly, for the reasons set forth in Magistrate Judge Payson’s R&R, the Court finds Defendant competent to stand trial.

IT IS SO ORDERED.

Dated: Rochester, New York  
January 15, 2012

ENTER:

/s/ Charles J. Siragusa  
CHARLES J. SIRAGUSA  
United States District Judge